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and,  
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call cannot be originated and a second set of keys whose operation causes said processor to stay in the call origination mode, said first set of keys not overlapping said second set of keys,

wherein said second set includes keys for "0" and "1" and said first set includes two of said plural numbered dialing keys that are next to each other.--

Please charge the fee of \$84 for the extra independent claim added herewith, to Deposit Account No. 25-0120.

REMARKS

The indication that claims 23-24 and 28-29 include patentable subject matter is acknowledged with thanks. In reliance thereon, claims 23 and 28 have been amended into independent form by adding the subject matter of the claims from which they respectively depend.

Claims 20-22 and 25-27 were rejected as anticipated by VALIMAA et al. 5,926,769. Claims 20 and 25 have been amended and reconsideration and withdrawal of the rejection are respectfully requested.

Amended claims 20 and 25 provide that each of the plural numbered dialing keys has a unique identity (which is known to those of skill in the art) and that the change from the call origination mode is based solely on the determined unique identity of the operated one of the keys (support for "solely"

being found at page 14, line 9.)

The Official Action points out that the "identity" of the operated one of the keys can be broadly interpreted. The amended claims avoid this interpretation by giving each of the keys a unique identity.

The Official Action points out that the claims did not preclude the use of time duration. Amended claims 20 and 25 rely solely on the determined unique identity and thus preclude the use of time duration.

VALIMAA et al. do not disclose a device or method in which the change from the call origination mode is based solely on the determined unique identity of the operated one of the keys. Accordingly, it is believed that amended claims 20 and 25 avoid the rejection under §102.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 20 has been amended as follows:

--20. (amended) A method of operating a portable telephone having plural numbered dialing keys that each have a unique identity for dialing a telephone number, the method comprising the steps of:

establishing the telephone in a call origination mode; operating one of the plural numbered dialing keys and determining [an] the unique identity of the operated one of the plural numbered dialing keys; and

changing from the call origination mode to an operating mode in which a call cannot be originated based solely on the determined unique identity of the operated one of the plural numbered dialing keys.--

Claim 23 has been amended as follows:

--23. (amended) [The method of claim 22] A method of operating a portable telephone having plural numbered dialing keys for dialing a telephone number, the method comprising the steps of:

establishing the telephone in a call origination mode;  
operating one of the plural numbered dialing keys and  
determining an identity of the operated one of the plural  
numbered dialing keys; and

changing from the call origination mode to an operating

mode in which a call cannot be originated based on the determined identity of the operated one of the plural numbered dialing keys,  
wherein the step of changing from the call origination mode to an operating mode in which a call cannot be originated occurs when the determined identity of the operated one of the plural numbered dialing keys is one of a first set of the plural numbered dialing keys and wherein the step of changing from the call origination mode to an operating mode in which a call cannot be originated does not occur when the determined identity of the operated one of the plural numbered dialing keys is one of a second set of the plural numbered dialing keys that does not overlap the first set,

wherein the second set includes keys for "0" and "1" and the first set includes two of the plural numbered dialing keys that are next to each other.--

Claim 25 has been amended as follows:

--25. (amended) A portable telephone comprising:  
plural numbered dialing keys that each have a unique identity for dialing a telephone number; and  
a processor that establishes a call origination mode, determines [an] the unique identity of an operated one of said plural numbered dialing keys, and changes the telephone from the call origination mode to an operating mode in which a call cannot be originated based solely on the determined unique identity of the operated one of the plural numbered dialing keys.--

Claim 28 has been amended as follows:

--28. (amended) [The telephone of claim 27] A portable telephone comprising:

plural numbered dialing keys for dialing a telephone number; and

a processor that establishes a call origination mode, determines an identity of an operated one of said plural numbered dialing keys, and changes the telephone from the call origination mode to an operating mode in which a call cannot be originated based on the determined identity of the operated one of the plural numbered dialing keys,

wherein said plural numbered dialing keys include a first set of keys whose operation causes said processor to change from the call origination mode to the operating mode in which a call cannot be originated and a second set of keys whose operation causes said processor to stay in the call origination mode, said first set of keys not overlapping said second set of keys,

wherein said second set includes keys for "0" and "1" and said first set includes two of said plural numbered dialing keys that are next to each other.--

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